

**FILED
CLERK, U.S. DISTRICT COURT**

Action, Brian Warner et al. v. Toyota Motor Sales,
Case No. 2:15-cv-02171-FMO-FFM

USA Inc.

3/18/2017

MARCH 27 2017

CENTRAL DISTRICT OF CALIFORNIA

BY: vdr DEPUTY

To whom it may concern,

I object to part of the settlement as a class member. The owners of Toyota vehicles whose frame was replaced at their own cost should receive full reimbursement from T.M.S USA Inc.

What I object to is setting a short time limit after the Final Order / Judgement is made. My claim for the Frame Replacement and Inspection should start on the day I purchased my 2006 Tacoma. The frame of my Tacoma is rusting away with no way to stop the now accelerating condition. It is not a matter of if a perforation hole will occur but when. I purchased my Tacoma in 2009 and I had no way of knowing my Tacoma was terminally ill. Just like cancer! The frame is rusting inside and out. I brought my vehicle in for repair at a Toyota dealership in 7-12-2017, I was called out to the repair bay to look at and explain to me the repairs needed for my Tacoma. It was at that moment that I brought up the subject of rust to the mechanic and service adviser's attention, "Why does the frame have so much rusting going on? It's only three years old." (and low mileage 67,132 km)

I called the Toyota Headquarters number in CA to let them know about my vehicles condition. The Rep took my information and put it on file. When my Tacoma needed regular maintenance, I would bring up my concern again regarding the frame rusting away. Eventually the frame was treated with a spray on coating which didn't last or stop the rust from advancing. Presently with over 116k miles on the odometer, the frame may or may not meet the frame replacement settlement conditions proposed in time. (In one or two years from sometime this year) If my Tacoma's frame is not replaced soon, there is a good chance after the proposed short time limit is up my Tacoma will not pass MA state inspection and denial of registration! Then I will own a low mileage vehicle (which was not an inexpensive vehicle to purchase) worth nothing before its time. A worthless trade-in or resale vehicle.

Since my Tacoma's rust condition of the frame is already

beyond the point of no return, I adamantly object to any settlement conditions that restrict frame replacement because of a short time period condition or limit.

This is like a patient that already has full blown cancer and then the cure may be pulled away from them!

I need a Tacoma frame replacement now. Who really knows how safe is it to drive my Tacoma for me and my family? Like many other buyers, I trusted the advertised quality Toyota claimed on ~~advertis~~ TV ads and magazines about my model vehicle. Please don't let Toyota get away with an early exit to take responsibility to replace defective vehicle frames. Photos and documents are included with this letter. Please do not impose a time limit on vehicles with pre-existing frame rust acceleration. I do not have counsel representation or will be able to beat the Fairness Hearing on my behalf.

My vehicle description/information:

2006 Toyota Tacoma

VIN # ~~5TDLKBA20H~~

5TELU42N46Z306757

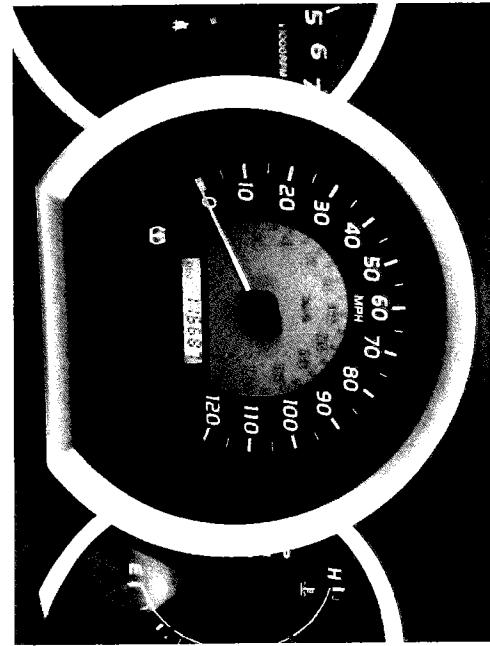
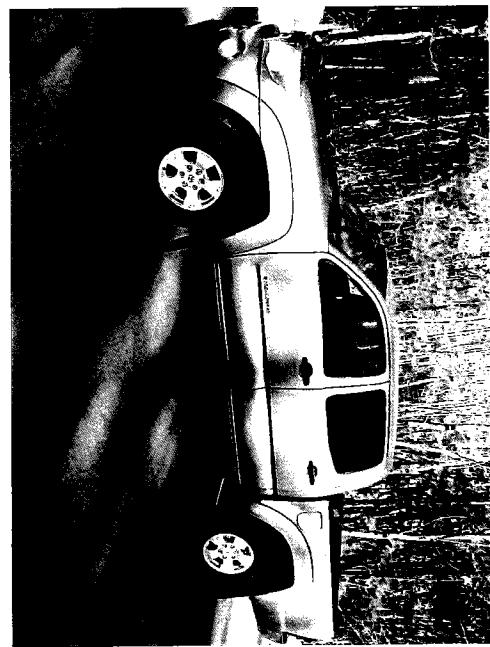
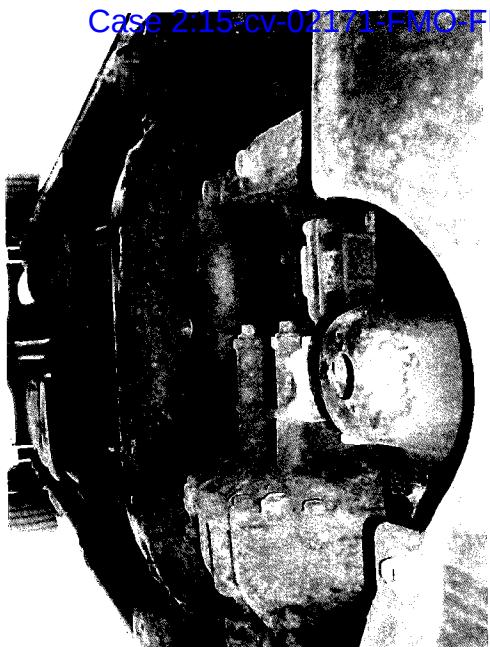
Photos: Aug /2014 before frame coating applied.

Toyota invoices showing when I first mentioned my Tacoma's frame rusting and frame coating applied and ongoing inspections.

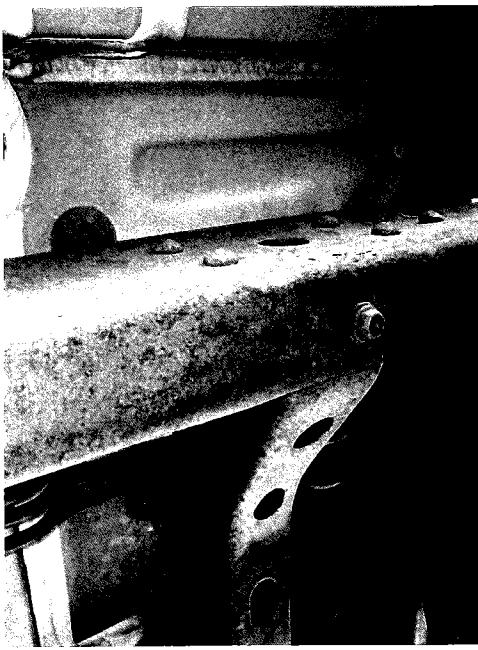
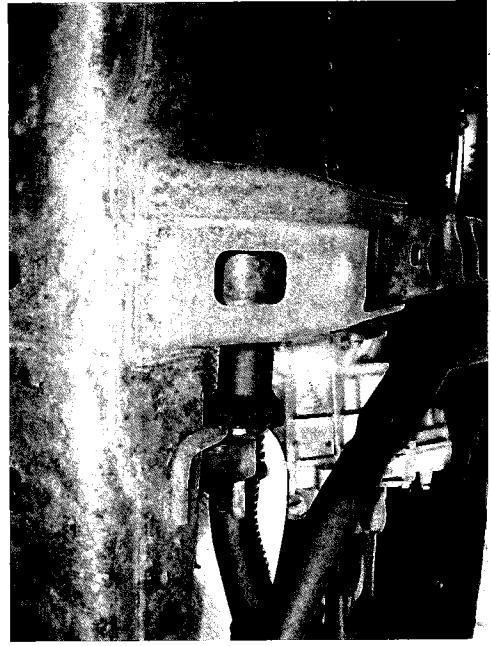
Regards,
Dominick DiMassino Jr
3/18/2017

Dominick DiMassino Jr
161 Lowell Road
Pepperell, MA 01463
978-925-9647

(03/2017) After coating applied to trunk & rear doors must corrosion testing & visual inspection



HUE 2014 / Coating applied set out



DOMINICK DIMASSINO
ELEANOR DIMASSINO
 161 LOWELL RD
 PEPPERELL, MA 01463

INVOICE

Invoice #: 813568



TOYOTA of Nashua

A Family Owned Company for Over Forty Years

10 MARMON DRIVE - NASHUA, NH 03060

PHONE (603) 888-3555

TOYOTA PARTS LINE (603) 891-5637

N.E. WATS (800) 300-3555

Tag #: T3501

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN	MILEAGE OUT		
BROWN	06	TOYOTA TACOMA 4WD	5TELU42N46Z306757	988WZK	96622	96622		
17MAR06		PROMISED	PO NO.	RATE	PAYMENT	INV. DATE	R.O. OPENED	READY
		WAIT 07AUG14	102.00	CASH	07AUG14	15.57	07AUG14	17.52

OPTIONS: DLRR:28009 ENG:4.0 Liter DOHC

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
A	\$39.95	SPECIAL	- PERFORM OIL AND FILTER CHANGE, TIRE ROTATION AND CHECK UP, BATTERY CHARGING SYSTEM TEST, COOLING SYSTEM ANALYSIS, A/C SYSTEM PERFORMANCE, BRAKE INSPECTION				
	\$39.95	SPECIAL	- PERFORM OIL AND FILTER CHANGE, TIRE ROTATION AND CHECK UP, BATTERY CHARGING SYSTEM TEST, COOLING SYSTEM ANALYSIS, A/C SYSTEM PERFORMANCE, BRAKE INSPECTION				
	42.5	CPT			51.00	51.00	51.00
1	90915-YZZD3	FILTER, OIL			6.50	6.50	6.50
1	90430-12031	GASKET			1.00	1.00	1.00
6	00279-MB5W3	MOBILE 5W30			7.95	7.95	47.70

PARTS:	LABOR:	OTHER:	TOTAL LINE A:	TOTAL LINE B:
955.20	51.00	0.00	106.20	
96622	51.00	0.00		
PERFORMED OIL AND FILTER SPECIAL, CHARGING SYSTEM NORMAL, BATTERY PASSED TEST, COOLING -42F, A/C PERFORMANCE TEST PASSED				
*****	*****	*****	*****	*****

B FRAME INSPECTION END
 CAUSE: FRAME CHECK PASSES
 999999 FRAME INSPECTION PASSES MADE APT FOR SEPT

11, 2014 FOR A DROP OFF

FC: PART#: COUNT:
 CLAIM TYPE:
 AUTH CODE:

DATE: 07/12/14
 AMOUNT: 0.00
 CHECK #: 813568/N/C

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE C: 0.00 0.00

C C/S WANTS SYNTHETIC MOBIL ONE OIL!!!!!!

NWP NO WORK PERFORMED

425 CPT

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE C: 0.00 0.00

D-E/S-A-GROANING-TYPE-NOISE-HAS-RESGGUURED-WHEN-AGGELARATING

STATEMENT OF DISCLAIMER

The factory warranty constitutes all of the warranties

with respect to the sale of this item/items. The Seller

hereby expressly disclaims all warranties either express or

implied, including any implied warranty or merchantability

or fitness for a particular purpose. Seller neither assumes

nor authorizes any other person to assume for it any

liability in connection with the sale of this item/items.

Monday to Friday

7:00am - 8:30pm

Saturday

7:00am - 5:30pm

X

CUSTOMER SIGNATURE

(603) 689-1541 www.toyotaofnashua.com/service

**DOMINICK DIMASSINO
ELEANOR DIMASSINO**
161 LOWELL RD
PEPPERELL, MA 01463
Home: 978-925-9647 Bus: 978-569-2081 Customer #:988WZK
Cell: 978-394-7701 Email: email|doelda3@charter.net|work Service Advisor:421 VICKY C BACK

INVOICE

Invoice #: 819464



TOYOTA of Nashua
A Family Owned Company for Over Forty Years

10 MARMON DRIVE - NASHUA, N.H. 03060
PHONE (603) 888-3555

TOYOTA PARTS LINE (603) 891-5637
N.E. WATS (800) 300-3555

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN	MILEAGE OUT
BROWN	06	TOYOTA TACOMA 4WD	5TEU42N46Z306757	988WZK	97151	97151
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	INV. DATE
17MAR06			17.00	11SEP14	102.00	12SEP14
OPTIONS: DIR:28009 ENG:4.0 Liter DOHC						

LINE OP CODE TECH TYPE HOURS

A CUSTOMER HERE TO SEE VICKY

A VEHICLE HAS APPOINTMENT

PARTS: 1052 CPT

PARTS: 0.00 LABOR:

B C/S PERFORM EOD RECALL

CAUSE: EOD RECALL

3605G2 INSPECTED FRAME CLEANED AND UNDER COATING

157 WT3 (N/C)

1 00289-T00KT-DS T00-CORROS RES KIT (N/C)

2 90950-01824 PLUG, HOLE (N/C)

2 90950-01539 PLUG, HOLE (N/C)

1 00411-11004 COD HANG TAG

FC: 00289-T00KT-DS

PART#: 00289-T00KT-DS

COUNT: 1

CLAIM TYPE: SSC

AUTH CODE:

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE B: 0.00

97151 did see recall sprayed frame

C CUSTOMER REQUESTS INSPECTING FLOOR BOARDS AND BOLTS SEEM TO HAVE

NWP INSPECTED FLOOR BOARDS NO CONCERN SEEN NORMAL

PREMATURE RUST SURFACE RUST

157 CPT

1052 CPT

SUBL PO 115733 PRO CAR CARE RECON

PO#115733 CPT

Thank You

email|doelda3@charter.net

For Your Business!

Serviced Department Hours
Monday to Friday
7:00am - 8:30pm
Saturday
7:00am - 5:30pm

X CUSTOMER SIGNATURE

LABOR AMOUNT	PARTS AMOUNT	GAS, OIL, LUBE	SUBLET AMOUNT	TOTAL CHARGES	TOTAL ADJUSTMENTS	SALES TAX	THIS AMOUNT

To file statement about
Nashua Toyota.

8/5/17 4:20 PM

Called to file statement about
the frame rusting issue.



Case # 1408052210

Kevan - customer Rep.

Ca

DOMINICK DIMASSINO JR

161 LOWELL RD

PEPPERELL, MA 01463-1717



Toyota Motor Sales, U.S.A., Inc.
North American Assembly
PO BOX 3600
Knoxville, TN 37901-3600

1st 4 yrs never
saw NE winter; it is
a Southern vehicle.
(W. Virginia)

8/14/14 called & explained about additional
corrosion & rusting occurring on underneath floor of truck. Took photo of
frame & floor.

**Certain 2005 through 2008 Model Year Tacoma Vehicles
Corrosion-Resistant Compound Application to the Vehicle's Frame**

Kevin - 2nd Rep. involved w/ phone conversation.
connected me to:

VIN: 5TELU42N46Z306757

Dear Toyota Owner:

Case manager (Nichole) not in today, will call back.

At Toyota, we are dedicated to providing vehicles of outstanding quality and value. As part of our continual efforts to meet your product expectations, Toyota is announcing a Limited Service Campaign Program, which includes your vehicle.

What is the condition?

Toyota has received reports that certain 2005 through 2008 model year Tacoma vehicles operated in specific cold climate areas with high road salt use may exhibit more-than-normal corrosion to the vehicle's frame. Toyota investigated these reports and determined that the frames in some vehicles may not have corrosion-resistant protection sufficient for use in these areas. This, combined with prolonged exposure to road salts and other environmental factors, may contribute to the development of more-than-normal rust in the frame of some vehicles. This condition is unrelated to and separate from normal surface rust which is commonly found on metallic surfaces after some years of usage and/or exposure to the environment.

What is included in this Limited Service Campaign?

This campaign involves customers whose vehicles are currently registered in the specific 20 Cold Climate States listed below and the District of Columbia which have high road salt use (together, "Cold Climate States").

CT, DE, IL, IN, KY, MA, MD, ME, MI, MN, NH, NJ, NY, OH, PA, RI, VA, VT, WI & WV

Any authorized participating Toyota Dealership located in the Cold Climate States will inspect the condition of your vehicle's frame. Based upon the results of Toyota's inspection*, if significant rust perforation is not found, Toyota will apply Corrosion-Resistant Compounds (CRC) to key areas of your vehicle's frame at no charge to you. The CRC application will enhance the corrosion protection of the vehicle's frame.

You must have your vehicle inspected and the CRC application completed by a participating Toyota Dealership located in the Cold Climate States no later than **March 31, 2016**. Please schedule an appointment with an authorized participating Toyota dealer well in advance of the **March 31, 2016**, expiration date to ensure that your dealership has sufficient time to complete this Limited Service Campaign on your vehicle.

If a participating Toyota Dealership, located in the Cold Climate States, confirms that your vehicle's frame has significant rust perforation*, the dealer will provide an appropriate remedy at no charge to you. The dealer must determine that the frame has significant rust perforation* by **March 31, 2016**, in order for the cost of any necessary repairs to the vehicle's frame be covered by the Campaign (there are no mileage limitations).

PRESS FIRMLY TO SEAL

PRESS FIRMLY TO SEAL



1007

90012

R2305H129035-13

PEABOD
01463
MAR 25 17
AMOUNT
\$23.75
R2305H129035-13

RIO RITY MAIL ★ EXPRESS™

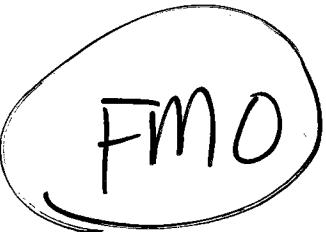
FASTEST SERVICE IN THE U.S.

AT RATE
ENVELOPE

EXTRA RATE ★ ANY WEIGHT★

#2229

Document 130 Filed 03/27/17 Page 10 of 10 Page ID



FBI
FBI



CUSTOMER USE ONLY

FROM: (PLEASE PRINT)

PHONE (

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)